

REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed March 29, 2007. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1-27 were previously pending. Claims 1, 10, and 19 have been amended as detailed above. Claims 28-30 have been added. Accordingly, claims 1-30 remain pending in the present application.

35 USC §102 Rejection of the Claims

Claims 1-27 were rejected under 35 USC § 102(b) as being anticipated by Viswanath et al. (U.S. Patent No.6151322; referred to hereinafter as the “‘322 patent”).

These rejections are respectfully traversed.

Independent Claims

In rejecting claim 1, the Office states:

deleting at least a portion of the electronic data prior to providing the electronic data to the memory of the networking device Abstract, lines 3-10, where striping the tag means deleting the portion of the electronic data);

However, the abstract of the ‘322 patent also states that:

controller of the port. The stripped tag is forwarded to a rules checker, which determines further routing of the packet to one or more destinations. The VLAN tag data, which may be

Accordingly, the stripped tag is further used by various components of the ‘322 patent. Hence, the use of the word “stripped” by the ‘322 patent appears to be contrary to the claimed language presented in claim 1. However, without limiting the scope of embodiments of the

invention, only in an effort to impart precision to the claims (e.g., by more particularly pointing out embodiments of the invention, rather than to avoid prior art), and merely to expedite the prosecution of the present application, Applicant has amended independent claim 1 to in part recite "discarding ..." instead of deleting to further distinguish the '322 patent. Thus, it is respectfully submitted that claim 1 is in condition for allowance.

Similar arguments (though not identical) apply to the remaining independent claims and these claims should be allowable for similar reasons as claim 1.

Dependent Claims

Additionally, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

For example, the Office rejects claim 6 as follows:

12. As to claim 6, Viswanath discloses, generating a CRC (cyclic redundancy code) and inserting the CRC into the frame prior to providing to the memory (Fig.4, Elements-84 and 64, Col.7, lines 21-39, where comparator is CRC and modifying means adding or deleting or inserting the appropriate information into frame and sending it to memory 64).

The above cited portion however states:

counter activates a signal to comparator 84. The succeeding two bytes of data are compared with the stored VLAN types in the Ethernet type control register 86. This register, which is preferably located in the internal rules checker 68, contains designated VLAN types. If a match is found, a tagged frame is indicated by the comparator. The VLAN type and VLAN ID data in the frame is stripped and diverted to the internal rules checker via MAC-Internal Rules Checker Interface 88. The rules checker determines, from VLAN information and other header information, from which output port(s) the frame subsequently is to be transmitted. The striped VLAN tag data, which may be modified if appropriate by the internal rules checker, is written to the buffer header of the first buffer in external memory used to store the frame's data. If a tagged port's received frame contains a VLAN type that does not match the VLAN Ethertype register, the frame is assumed to be untagged. All frame data other than the tag data are written from the receive buffers in the MII to the receive FIFO 64 in the MAC 62. This data

As can readily be seen, this portion of the '322 patent appears to be discussing comparison of a register value against certain fields to determine the VLAN types involved, and not any CRC related checking.

Hence, the Office has failed to anticipate claim 6 pursuant to MPEP §2131. In particular, the Office is respectfully reminded of the requirements of MPEP §2131 that states a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

As the '322 patent clearly fails to teach (or even suggest) CRC related information, claim 6 is in condition for allowance. As the Office relies on the same argument to reject claim 22, this claim should also be allowable, for at least similar reasons.

New claims 28-30 include further distinguishing language regarding the CRC related operations performed in accordance with some embodiments of the invention. Hence, these claims should also be allowable for at least similar reasons as claims 6 and 22, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (303.800.6678) to facilitate prosecution of this application.

This response is hereby accompanied by a Petition, as well as the appropriate fee, to obtain a 1-month extension of the period for responding to the Office action, thereby moving the deadline for response from June 29, 2007, to July 29, 2007.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

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Date July 30, 2007 By /Ramin Aghevli/
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